THE INDIAN ELECTRICITY (AMENDMENT) BILL, 1986

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER (SHRIMATI SUSHILA ROHA-TGI) : Sir, with your permission I move that the Bill further to amend the Indian Electricity Act, 1910, be taken into consideration.

Sir, hon. Members will share with me the view that during the last decade, especially during the last 3 or 4 years, there has been a significant improvement and progress in the generation of power and additional capacity. As a matter of fact last year we had a target of generating 170 billion units and we were able to complete that and exceed it to a certain extent. That means an improvement of about 8.5 per cent over last year. Now this year also the target is about 190 billion units which will compare to about 12% improvement over last year. In spite of that there is greater demand and the entire supply is not able to meet it. The supply is short and there is greater demand and there is puacity of power in certain States. But at the same time we have been trying to go in depth as to what are the reasons, how do we try to rectify it, how do we come to a batter solution. We have been trying to focus on two things —better utilisation of the present capacity that we have and one of the main factors—i.e. theft or pilferage. Our Minister referred to it last time in the last Session and he had said that he would try to bring a Bill. We had introduced a Bill in the last Session of Parliament which is being taken up for consideration today.

Apart from the theft factor, we have been trying to see how we can improve the plant-load factor. We have been able to identify 32 power plants also. A Renovation and Modernisation scheme is on, which will give additional capacity and which will be able to meet much more of our demand as it stands today. But I would like to say that in the pilferage tiling there is something which is technical which could be slightly controlled if we had better capacitors, better equipment, more efficient transformers. But so far as the latter part is concerned, i .e. pilferage and theft, whether it be commercial or otherwise, there is tremendous amount that could be done in t his and we could bring it down by something like 7 to io per cent with greater watch over the thefts committed. It is with this objective that this amendment is being brought forward today. Various steps have been taken initially. Vigilance squads have been instituted. They have made certain checks, they have conducted certain raids. We are also having the number of raids that have been conducted, the number of theft that have been found out there and we have taken action on that. At the same time a set of guidelines have also been issued how the State Electricity Boards could improve their performance and how they could improve the theft factor which not only erodes upon the revenues of the State Electricity Boards, which is a legitimate claim, but at the same time also makes it more difficult to come to perfect calculations about the consumption of elcetricity, its proper use and the difference in the demand and supply. Therefore, we want into it in detail and with this objective these amendments have been brought. We think by this we will be able to control and curb the theft factor. But we find that the present proviso lays down that according to section 39 it is an offence under the Indian Penal Code, but the Supreme Court set it aside saying that this was not an offence under the IPC, that theft or dishonest extraction of electricity did not fall under the IPC as an offence. Hence a self-contained para has been inserted and by this insertion it will be made a cognizable offence punishable with imprisonment and/or with fine as the situation demands. At the same time, abetment is also made punishable. In most of the cases we find that pilferage or theft of electricity is done by abetment or connivance of someone who knows about electricity.

So, that also will be a cognizable offence. At the same time, we also find that unauthorized reconnection or tampering with meters and things like that is also an offence and will be punishable. In addition to this, w e find that it will be very difficult for us to make this effective and, therefore, the State Electricity Boards have been authorized, under this amendment, and they will be in a position to take action and punish those who fall within this.

I think, with these three amendments coming here the theft factor can be curbed to a very great extent and I am sure all the Hon. Members of the House, irrespective of party affiliations, will welcome this measure because not only will it give more revenue to the State Electricity Boards but it will also result in improved performance and generation of greater power for the socio-economic betterment of the country, and, at the same time, put curbs on activities which are not v/arranted under law.

With these few words, Sir, I commend the Bill for the considera. tion of the House.

The question was proposed.

SHRI DIPEN GHOSH (West Bengal) : Mr. Deputy Chairman, Sir, apparently there is no dispute with this particular piece of legislation. In the Statement of Objects and Reasons and also in her very short speech, the honourable Minister of State for Energy has stated that with the enactment of this law the revenues of the State Electricity Boards will be augmented and, at the same time, proper utilization of electricity will be ensured. There, though I do not oppose this Bill— on the contrary I welcome it— I keep my fingers crossed when the Minister says that when this Bill becomes an Act it would help augment revenues of the State Electricity Boards and, at the same time, ensure proper utilization of energy. But, Sir, this theft or misuse, whatever you call it takes place thoroughout the country and not simply in certain urban areas alone. Even in the villages where the power lines run from one place to another through poles or towers, there is a method of stealing energy by, what is called, the hook system , as you know better than anybody else. *(Interruptions)* ... But the point is, if you are to discourage this theft or stealing of energy simply by enhancing the rate of penalty whether in the shape of money or in the shape of imprisonment, that connot, as such, ensure discouragement of the theft unless the people are made to associate themselves with the whole thing. And how to associate the people that is the question. There, to associate people, people's organisations, people's bodies like panchayats, municipalities and other bodies have to be associated. We have an experience in our State. Coordination committees have been formed at every village panchayat level with the participation of the panchayat people. Because the transmission towers are located in the villages and the cables run through the villages, naturally I would like that such an exercise is undertaken to associate people and people's organisations at various levels so that this type of theft or misuse of energy can be eliminated.

Secondly, Sir, even to encourage the people to take up this job, to associate themselves with this type of job, how can we encourgae them? If over the village energised wires arc taken but actual electrification does not take place nor the services of that energised wire does not percolate down to the people, electric connections are not given due to various reasons like lack of metres, lack of this thing and that thing, naturally people do not feel very much encouraged to save the energy or to protect that energy because they do not use it. They are not given. They cannot avail of that energy. So, naturally, the second exercise should be taken that the energy

fShri Dipen Ghosh] which is generated can also the availed of by the people at various stages, various levels not only in the cities but in the villages also. We take that this rural cation means that a village is elec trified if an electrical pole is posted or rather stationed in age and that energised wire lias been taken over that village one p posted here and the other pole ,:ed there. In order to associate the people with tie . ergy has to be placed for the use of the village people also, connections have to be given, and for that matter measures have to be taken.

My idea is—our hon. Minister has also stated—that the generation has gone up, but still it lags far behind. Whatever has been gene-rat; d, that also is not, or cannot: be, transmits d to all. There is also some deficiency. We know how the StaUs suff r from this deficiency, even Haryana or Uttar Pradesh, some parts of Uttar Pradesh, Punjab.

SHRI KALPNATH RAI (Uttar Pradesh) : Bengal.

SHRI DIPEN GHOSH : Har-yana's suff ring is far worse than B ngal. So, you don't say all these things.

But the point is, an attempt has to be mad to increase the generation because unf ss the g ne ration can be incr< ase d it cannot be transmitted to all, everywhere where on *n*< eds electricity. So, more expenditure, more investm nt 1 .as to be made on the gf n ration of pow r, on the generation and transmission of en rgy. If we go by th'" growth-rate of the economy, the growth-rate in electricity is much mor important than that in various other S' ctors which are normally rackon d to prove that the economy is growing or the economy is developing.

So, my whole idea of taking part in this discussion emanates fromthis particular point. What clue I take irom our Minister's sp ech is that it wilKnsur mor, revenue to the State Electricity Board, it will ensure r utilisation of the energy. And to ensure all t] .is, you hav< to the people associated and their isations associated. Inord< r to opk and the ir organizations associated witrcise, *the* i city Las to be placed at disposal for the ir own use. And for that the electricity has I .rat- ed more, has to be transmitted more and more inv stm- nt i .as to be made for that. So, this is a part of the total excrcisi . This should be looked at in the background of the total ex<r-TLer- ar various Stab s which air ady pre pared certain projects for incre asing tl .e ir own gene-ration. My State has alo made such proji cts, but the C< ntn is still dragging its feet in sanctioning those proj- cts. I do not know wh< by this time the C ntn, has given its clearance to the Soviet or Japanese off r for the Bakn si war Thermal plant in W< st Bengal. If it has not done yet, I hop.: the Centre would expedite the clearnace. Similar is the qu(stion in re gard to the M< zia Thermal Plant that*has to be run by the DVC. The Centn is still dragging its f! < t to give cl arance for the xpansion of the Matiapur proj- ct of the Calcutta Electric Supply Corporation. Only three four days ago the re was a n< ws it< m in the *Statesman* that a ve ry important Mi mh r of Parliam< nt e lectc d for a Constitu ncy of West Bengal be longing to tl e ruling party had writte n to the En. rgy Ministe r about the s tting up of a nuclear power plant in Eastern India, particularly in W st B ngal. The news item suggested that :he Centre h?d informed that v ry important MP belonging to the ruling party that it had no objection to s tting up that nuclear po- w< r plant in W st B ngal. I do not know what is tl .at. If that is corn, ct, since both the Ministers are pr< sent in the House, why should we depend upon only the newspaper re-

ports, let us hear from the horse's mouth. So, Ictus know what exactly th y are going to say on this particular point.

STATEMENT BY MINISTER

India's non-participation in Commonwealth games

MR. DEPUTY CHAIRMAN : S! .ri Eduardo Faleiro will make a statement.

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI EDUARBO FALEIRO) : Sir, th< Hon Memb rs have no doubt been following 1 d v lopmtnt regarding the Common-weald-. Gam s scheduled to start in Edinburgh from July 24.

The Governmrnt kept in cl touch with, the Governnn nts of the Frontline States. The Prim' Mi-nistt r was pf rsonally in contact with leaders of som- of the Frontline Stat s in an effort to work out som' formula whereby tt(Gams could be salvaged. The Government's endeavour W'ts to e xplorc- e.v ry possible ave nue so tl .at our athletes, could have importunity to compete in the Gam-, s. Unfortunately, sonv of t! .*c* rcce nt stat' me nts of the British Gove rnm nt have 1 ft no doubt in our mind tl .at tl .e y an not imrn diat< ly prepared to implem' nt ' ve n t' e minimum mcasur* s which all the Commonw< aW countri< s 1 .ad agr d to at Nassau, in cas- there was no progr ss in tl .e dir< ction towards the dismantling of apartheid in South Africa.

Under the circumstances, the. Go-vernment d cided, with gr at r -get, not toparticipat in th Ga me s. ur de cision is an xpr ssicn of our solidarity with t' e oppressed pec pi' of South Africa and with th' Frcnt-line States. It is still our I #,p< that concerted action by the Cornmon-aplt mi nt ME *a* ssary c co-nomic me: sur <s to nd apartheid in South Africa will follow soon.

SHRI MOSTAFA BIN QUA-SEM (W st Bengal) : It is good to that at long last good s< nsi vail d upon thIndia and aftc r protracti d vacil tion the Gove rnm< nt of India 1 as 11 able to com' out of tl .c vacilla-1 s and it has d cid d for India's wit! .drawal from t] .< C'emmomv alth Games schc duk d to he Id be from 24th July.

There is no gainsaying the fact that th: dr cision to boycott s! ould not b< vie w< d m. r< ly and simply as a decision for non-participation in a particular Gam< s. This decision of ours to boycott is to be int rpre t< d and viewe d as our strong prot(st against the British Govi rr.m nt's continued support to the bartaric racist regime of South Africa. It is our prot st against Mrs. TI .atchc r's re luctanc to impose sanctions against the Pr< toria re gime ; and it is a g< siurc of expnsf-ir.g our solidarity with the African Stat s in the ir fig] .t against Apart] .it d in South Africa. View d from all tl .1 se angl< s, the Govcrnim nt of India's d< cision is v ry much welcome. In spiti of that wl at re mains to be oba rv< d is that India did not take try 1< ad in the boycott movf. We just join d in the Gam< s boycott. It was I gitimati ly xp< ct' d of India b> caus ofth' uniqu' position enjoy d by it within the Commonwealth and particular'y as the hader of tl .e NAM t!.; t India would take th« leadership roll in th< boycott mov . W< si ould 1 .ave take n the initiative. We could have mad' a unilat ral d claration of the boycott and pull d our w ig] ,t in pe rsuading and mobilising oth'r cour.tri's for tl. boycott mov . But inst ad of doing, we just, vacillat' d in th< name of som' d cision by th' African countric s in tl .1 m> i ting of Harare on t!/ 18th of this month. This is the most unfortunate aspe ct of the